

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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KING MICHAEL TUTANKHAMAN,

Plaintiff,

V.

RICHARD F. BOULWARE II,

Defendant.

Case No.: 2:22-cv-01504-APG-EJY

Order Accepting Report and Recommendation and Dismissing Case

[ECF Nos. 6, 7]

On September 19, 2022, Magistrate Judge Youchah recommended that I dismiss plaintiff

10 King Michael Tutankhaman's petition for judicial review with prejudice. ECF No. 6.

¹¹ Tutankhaman did not file an objection to the recommendation, but instead he filed an application

12 to proceed *in forma pauperis* and a new petition. ECF Nos. 7, 8. I am not required to conduct

¹³ “any review at all ... of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S.

¹⁴ 140, 149 (1985). The Ninth Circuit has confirmed that a district court is not required to review a

15 magistrate judge's report and recommendation where no objection has been filed. *See United*

¹⁶ *States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (“[T]he district judge must review

17 the magistrate judge's findings and recommendations *de novo if objection is made*, but not

¹⁸|| otherwise.”) (emphasis in original).

19 Nevertheless, I have reviewed the issues in the Report and Recommendation. Judge

20 Youchah's Report and Recommendation sets forth the proper legal analysis and factual basis for

21 the decision. I accept and adopt it as my own. And because Tutankhaman's newest application

22 to proceed *in forma pauperis* and proposed petition (ECF Nos. 7, 8) are equally flawed, I deny

23 | them.

1 I THEREFORE ORDER that the Report and Recommendation (**ECF No. 6**) is accepted,
2 the plaintiff's application to proceed *in forma pauperis* (**ECF No. 7**) is denied as moot, and this
3 case is DISMISSED with prejudice. The clerk of the court shall enter Judgment accordingly.

4 Dated: November 3, 2022.

5 
6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE

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